

REMARKS

The Examiner has rejected claims 6-8, 10-17, and 19-25. Claims 6 and 17 are being amended to further recite the features of the invention. Claims 1-5, 9, and 18 were previously canceled. As a result, claims 6-8, 10-17, and 19-25 are pending for examination with claims 6 and 17 being independent claims. The amendments made find support in the specification and do not constitute new matter.

Office Action Unresponsive to Previous Amendments

Applicants respectfully bring to the attention of the Examiner the fact that claims 6 and 17 were amended to include the following features in a Reply filed 1-2-2008 ("R1"):

"...wherein the first authentication process comprises: receiving a certificate from the device; authenticating the device using the certificate; and sending a certificate from the control point to the device for the device to authenticate the control point." (Claim 6, claim 17 similar)

The non-final Office Action mailed 4-18-2008 ("OA4") does not in any way acknowledge or reject these amendments. Nor does the subsequent and most recent Final Office Action mailed 12-17-2008 ("FOA").

As such, Applicants respectfully remind the Examiner that all words in a claim *must* be considered by the Examiner. In particular:

*** 'All words in a claim must be considered in judging the patentability of that claim against the prior art.' *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." (portion MPEP 2143.03)

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Accordingly, Applicants respectfully request that the Examiner fully consider the Applicants' amendments and allow the claims or issue a new non-final office action responsive to the amendments.

Further, the Examiner has rejected at least claims 6 and 17 as being unpatentable over Jonker et al (US 2006/0020784) in OA4. A responsive reply R1 was filed addressing the rejections. But the rejections in the FOA dated 12-17-2008, to which this Amendment is responsive, appears to be nearly identical with respect to the rejections over Jonker in OA4. Further, in R1 the Applicants traversed the Examiner's rejections in OA4 and provided detailed reasons as to why. But the FOA is unresponsive to these traversals and the reasons for them, nor does it include any recognition by the Examiner that the traversals and their reasons have been seen and considered.

As such, Applicants respectfully remind the Examiner that, for any rejection repeated in a subsequent office action that was traversed by Applicants, the Examiner should take note of the Applicants' argument and answer the substance of it (see MPEP 707.07(f)). Applicants also respectfully point out:

"If applicant's arguments are persuasive and upon reconsideration of the rejection, the examiner determines that the previous rejection should be withdrawn, the examiner must provide in the next Office communication the reasons why the previous rejection is withdrawn by referring specifically to the page(s) and line(s) of applicant's remarks which form the basis for withdrawing the rejection. It is not acceptable for the examiner to merely indicate that all of applicant's remarks form the basis for withdrawing the previous rejection. Form paragraph 7.38.01 may be used. If the withdrawal of the previous rejection results in the allowance of the claims, the reasons, which form the basis for the withdrawal of the previous rejection, may be included in a reasons for allowance. See MPEP § 1302.14. If applicant's arguments are persuasive and the examiner determines that the previous rejection should be

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withdrawn but that, upon further consideration, a new ground of rejection should be made, from paragraph 7.38.02 may be used. See MPEP § 706.07(a) to determine whether the Office action may be made final.” (portion MPEP 707.07(f); emphasis added)

Accordingly, Applicants respectfully request that the Examiner fully consider the Applicants’ remarks in R1 as well as the additional remarks herein below and allow the claims or issue a new non-final office action responsive to the both sets of amendments and remarks.

Amendment for Antecedent Basis

In order to correct a potential problem with antecedent basis, Applicants have amended claim 6 and 17 to call for:

“...the device being a UPnP device,...”

and have correspondingly amended to the single reference in each claim to “the UPnP device” to delete the term “UPnP” which may not have had proper antecedent basis. As such, no new subject matter has been added and the UPnP device remains a UPnP device in the claims.

Rejections under 35 U.S.C. §103

The Examiner has rejected claims 6–8, 10–14, and 19–23 under 35 U.S.C. §103(a) as being unpatentable over Jonker et al (US 2006/0020784) (“Jonker”) in view of

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Min et al (US 2006/0037036) ("Min"). Further, the Examiner has rejected claims 15, 16, 24, and 25 under 35 U.S.C. §103(a) as being unpatentable over Jonker in view of Min and in further view of Ito (US 7,069,587) ("Ito"). Applicants respectfully traverse. Even so, Applicants have amended some of the claims to further recite features of the invention.

The amendments made find support in the Original Specification at least in paragraphs [0002] and [0049]. The amendments made are minor in nature.

In addition to the remarks in R1, Applicants present the following further remarks for the Examiner's consideration.

Rejection of Claim 6:

First, with respect to claim 6, the Examiner alleges that Jonker teaches "a control point in the UPnP network" and, for support, cited Jonker, paragraph [0076]. Further, the Examiner asserts that Jonker's "Right Manager" is the same as Applicants' "control point". Applicants traverse. As pointed out by the Examiner, Jonker teaches:

"The Right Manager is a decentraliz /sic/ part of the DRM system. It is present in every device and provides the means to interpret, manage and transfer rights. It interacts with the ADM for registering and locating rights. The tasks of the Right Manager include: Checking-in/out rights[:] interpreting, updating, deleting, checking validity, storing and transferring rights (between devices)[:] importing/exporting rights from/to other ADs or proprietary DRM systems[:]" (Jonker, paragraphs [0076]-[0079]; emphasis added)

As such, it is clear that Jonker's "Right Manager" is a "part of a DRM [Digital Rights Management] system" that is specifically concerned with "rights". This is very

different than the Applicants' claimed "control point in the UPnP network". Further, Applicants claim "retrieving, at a control point in the UPnP network, a device description associated with the device". As such, the control point retrieves a UPnP device description where the original specification describes a device description as including: "details of the device such as, *e.g.*, model type, name, serial number, and services offered by the device" (see the Original Specification, paragraph [0039]). Again, this is very different than the rights-oriented functions disclosed for Jonker's "Right Manager".

Accordingly, Jonker cannot be considered to teach "retrieving, at a control point in the UPnP network, a device description associated with the device". Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Second, the Examiner alleges that Jonker teaches "invoking, at the control point, a first authentication process..." and, for support, cited Jonker, paragraphs [0110]-[0113]. Applicants traverse. As pointed out by the Examiner, Jonker teaches:

"All devices must contain the following elements, which are preferably burned into ROM at manufacturing time: The certificate of the external CA. The CA public key. The device certificate, issued by the external CA, containing the device identity and stating that the device is compliant. The device private key, corresponding to the public key signed by the external CA in the device certificate." (Jonker, paragraphs [0109]-[0113]; emphasis added)

As such, it is unclear to Applicants how this citation teaches the claimed "invoking..., at the control point, a first authentication process". While Jonker does disclose various certificates and keys, he does not disclose any sort of "authentication

process", nor does he disclose the claimed "invoking by using a UPnP application programming interface (API), at the control point, a first authentication process to authenticate the device with the control point".

Accordingly, Jonker cannot be considered to teach "invoking by using a UPnP application programming interface (API), at the control point, a first authentication process to authenticate the device with the control point". Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Third, the Examiner alleges that Jonker teaches "retrieving, at the control point, a service description associated with the device" and, for support, cited Jonker, paragraph [0076]. Applicants traverse. As pointed out by the Examiner, Jonkers teaches:

"The Right Manager is a decentraliz *[sic]* part of the DRM system. It is present in every device and provides the means to interpret, manage and transfer rights. It interacts with the ADM for registering and locating rights. The tasks of the Right Manager include: Checking-in/out rights[;] interpreting, updating, deleting, checking validity, storing and transferring rights (between devices)[;] importing/exporting rights from/to other ADs or proprietary DRM systems[.]" (Jonker, paragraphs [0076]-[0079]; emphasis added)

As such, Jonker teaches that his Right Manager transfers "rights" between devices and imports rights from ADs [Authorized Domains] or DRM [Digital Rights Management] systems. Clearly Jonker's "rights" are very different than Applicants' claimed "service description associated with the device".

Further, Jonker teaches that his Right Manager is "present in every device". As such, Jonker's Rights Manager is an integral part of his "device". Based on the Examiner's assertion that Jonker's "Right Manager" is the same as Applicants' "control point", this implies that Applicants' "control point" is integral to Applicants' "device". But this cannot be the case as the claim recites a "method of adding a device to a Universal Plug and Play (UPnP) network" where there is already "a control point in the UPnP network" (see claim 6). As such, it cannot be the case that Applicants' "control point" is integral to Applicants' "device" since the "device" is being added to the UPnP network in which the "control point" already exists.

Accordingly, Jonker's "rights" cannot be considered to be the same as Applicant's "service description", and Jonker's "Right Manager" that is "present in every device" cannot be considered to be the same as Applicants' "control point", and therefore Jonker cannot be considered to teach "retrieving, at the control point, a service description associated with the device". Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Fourth, the Examiner alleges that Jonker teaches "retrieving, at the control point, a presentation page associated with the device" and, for support, cited Jonker, paragraphs [0060]–[0064]. Applicants traverse. As pointed out by the Examiner, Jonkers teaches:

"The ADM is the implementation of the domain manager and the central point of the AD. It is **only contained in enhanced devices**. Its roles are multiple: Checking-in devices in the AD[;] Revoking AD devices[;]

Maintaining a list of devices, rights, media and contents that are in the AD. The list may optionally also contain the status of every entity (available, unavailable, connected, disconnected)[.]; Creating AD certificates for devices and if necessary, Certificate Revocation Lists (CRLs)[.]” (Jonkers, paragraphs [0060]–[0064]; emphasis added)

As such, and in connection with Jonkers, FIGs. 3 and 6, it is clear that Jonker’s “AD” [Authorized Domain] is different than Jonker’s “Right Manager”. Further, it is clear that Jonker’s “AD” is *only* contained in “enhanced devices” and nowhere else. Therefore, given the Examiner’s assertion that Jonker’s “Right Manager” is the same as Applicants’ “control point”, then Jonker’s “AD” cannot be the same as Applicants’ “control point”. As such, it is unclear to Applicants how this citation teaches the claimed “retrieving, at the control point, a presentation page associated with the device” when the citation does not pertain Jonker’s “Right Manager” which is according to the Examiner, *arguendo*, the same as Applicants’ “control point”, and not the same as Jonker’s “AD”. Further, since Jonker’s “AD” is *only* contained in “enhanced devices” and nowhere else, it cannot be considered to be the same as Applicants’ “control point” for the same reasons detailed in the **third** section re claim 6 herein above.

Accordingly, Jonker’s “AD” cannot be considered to be the same as Applicant’s “control point” and therefore Jonker cannot be considered to teach “retrieving, at the control point, a presentation page associated with the device”. Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

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Fifth, the Examiner has not considered the following features of claim 6:

"...wherein the first authentication process comprises: receiving a certificate from the device; authenticating the device using the certificate; and sending a certificate from the control point to the device for the device to authenticate the control point."

Accordingly, for at least the reasons detailed in the Office Action Unresponsive to Previous Amendments section herein above, Applicants submit that the claim cannot be finally rejected. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Accordingly, the Applicants submit that claim 6 is not unpatentable over Jonker, even in view of Min and/or Ito. As such, Applicants respectfully request that the Examiner withdraw the rejection.

Claims 7, 8, and 10-16 are dependent on claim 6. As such, claims 7, 8, and 10-16 are believed allowable based at least in part upon claim 6.

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Rejection of Claim 17:

First, with respect to claim 17, the Examiner alleges that Jonker teaches "receiving a response to the multicast from at least one device in the UPnP network, wherein the response includes an indicator requesting a secure communication between the device and the control point" and, for support, cited Jonker, paragraph [0135]. Further, the Examiner asserts that Jonker's "Right Manager" is the same as Applicants' "control point". Applicants traverse. As pointed out by the Examiner, Jonkers teaches:

"The device can set up a Secure Authenticated Channel (SAC) with the ADM to secure the communication[.] A SAC allows secure exchange of information between two devices. See e.g. European patent application serial number 02078076.3 (attorney docket PHNL020681). The procedures:" (Jonker, paras [0133]-0134]; emphasis added)

As such, Jonker teaches his "device" being able to set up secure authenticated channel with an ADM [Authorized Domain Manager]. Further, in connection with Jonkers, FIGs. 4 and 6, it is clear that Jonker's "ADM" is different than Jonker's "Right Manager". Therefore, given the Examiner's assertion that Jonker's "Right Manager" is the same as Applicants' "control point", then Jonker's "ADM" cannot be the same as Applicants' "control point". As such, it is unclear to Applicants how this citation teaches the claimed "receiving a response to the multicast from at least one device in the UPnP network, the device being a UPnP device, wherein the response includes an indicator requesting a secure communication between the device and the control point" when the citation does not pertain Jonker's "Right Manager" which is according to the Examiner, arguendo, the same as Applicants' "control point", and not the same as Jonker's "ADM". Accordingly, Jonker's "ADM" cannot be considered to be the same as Applicant's "control point".

Further, Jonker as cited does not teach "receiving a response to the multicast from at least one device in the UPnP network". Further, Jonker as cited does not teach "wherein the response includes an indicator requesting a secure communication between the device and the control point".

Accordingly Jonker cannot be considered to teach "receiving a response to the multicast from at least one device in the UPnP network, the device being a UPnP device, wherein the response includes an indicator requesting a secure communication between the device and the control point". Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Second, the Examiner alleges that Jonker teaches "invoking, at the control point, a first authentication process..." and, for support, cited Jonker, paragraphs [0110]-[0113]. Applicants traverse. As pointed out by the Examiner, Jonkers teaches:

"All devices must contain the following elements, which are preferably burned into ROM at manufacturing time: The certificate of the external CA. The CA public key. The device certificate, issued by the external CA, containing the device identity and stating that the device is compliant. The device private key, corresponding to the public key signed by the external CA in the device certificate." (Jonker, paragraphs [0109]-[0113]; emphasis added)

As such, it is unclear to Applicants how this citation teaches the claimed "invoking..., at the control point, a first authentication process". While Jonker does disclose various certificates and keys, he does not disclose any sort of "authentication process", nor does he disclose the claimed "invoking by using a UPnP application

programming interface (API), at the control point, a first authentication process to authenticate the device with the control point”.

Accordingly, Jonker cannot be considered to teach “invoking by using a UPnP application programming interface (API), at the control point, a first authentication process to authenticate the device with the control point”. Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

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Further, Jonker teaches that his Right Manager is “present in every device”. As such, Jonker’s Rights Manager is an integral part of his “device”. Based on the

Examiner's assertion that Jonker's "Right Manager" is the same as Applicants' "control point", this implies that Applicants' "control point" is integral to Applicants' "device". But this cannot be the case as FIG. 1 clearly shows Applicants' "control point" being different than and distinct from Applicants' "device".

Accordingly, Jonker's "rights" cannot be considered to be the same as Applicant's "service description", and Jonker's "Right Manager" that is "present in every device" cannot be considered to be the same as Applicants' "control point", and therefore Jonker cannot be considered to teach "retrieving, at the control point, a service description associated with the device". Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Fourth, the Examiner alleges that Jonker teaches "retrieving, at the control point, a presentation page associated with the device" and, for support, cited Jonker, paragraphs [0060]–[0064]. Applicants traverse. As pointed out by the Examiner, Jonkers teaches:

"The ADM is the implementation of the domain manager and the central point of the AD. It is **only contained in enhanced devices**. Its roles are multiple: Checking-in devices in the AD[;] Revoking AD devices[;] Maintaining a list of devices, rights, media and contents that are in the AD. The list may optionally also contain the status of every entity (available, unavailable, connected, disconnected)[;] Creating AD certificates for devices and if necessary, Certificate Revocation Lists (CRLs)[.]" (Jonkers, paragraphs [0060]–[0064]; emphasis added)

As such, and in connection with Jonkers, FIGs. 3 and 6, it is clear that Jonker's "AD" [Authorized Domain] is different than Jonker's "Right Manager". Further, it is clear that Jonker's "AD" is *only* contained in "enhanced devices" and nowhere else. Therefore, given the Examiner's assertion that Jonker's "Right Manager" is the same as Applicants' "control point", then Jonker's "AD" cannot be the same as Applicants' "control point". As such, it is unclear to Applicants how this citation teaches the claimed "retrieving, at the control point, a presentation page associated with the device" when the citation does not pertain Jonker's "Right Manager" which is according to the Examiner, *arguendo*, the same as Applicants' "control point", and not the same as Jonker's "AD". Further, since Jonker's "AD" is *only* contained in "enhanced devices" and nowhere else, it cannot be considered to be the same as Applicants' "control point" for the same reasons detailed in the third section re claim 6 herein above.

Accordingly, Jonker's "AD" cannot be considered to be the same as Applicant's "control point" and therefore Jonker cannot be considered to teach "retrieving, at the control point, a presentation page associated with the device". Furthermore, the deficiencies of Jonker are not cured by any of the other applied references. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Fifth, the Examiner has not considered the following features of claim 6:

"...wherein the first authentication process comprises: receiving a certificate from the device; authenticating the device using the certificate; and sending a certificate from the control point to the device for the device to authenticate the control point."

Accordingly, for at least the reasons detailed in the Office Action Unresponsive to Previous Amendments section herein above, Applicants submit that the claim cannot be finally rejected. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Accordingly, the Applicants submit that claim 17 is not unpatentable over Jonker, even in view of Min and/or Ito. As such, Applicants respectfully request that the Examiner withdraw the rejection.

Claims 19–25 are dependent on claim 17. As such, claims 19–25 are believed allowable based at least in part upon claim 17.

Request for Allowance

Accordingly, allowance of the above-referenced application is requested.

CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the cited art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above application is requested. Based on the foregoing, Applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' representative at the telephone number listed below.

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AMENDMENT

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

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Date: March 17, 2009

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I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

March 17, 2009
Date

/Noemi Tovar/
Noemi Tovar

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